1996-1997 Year in Review

The Public Trustee of British Columbia

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Message from *the* Public Trustee

Dorothy A. Ewen

The mark of a successful organization is its ability to adapt to change. Over the past year we demonstrated we were able to meet the challenges of change with vigour and enthusiasm.

In my mind, the most significant development was the emergence of a new clarity and consensus among our staff members about the role and purpose of the Public Trustee. Together we are setting new directions in the way we do business.

For example, over the last few years we have focused on communicating better — with our clients, with the public and with each other. Last year, everyone here worked together to find ways of doing that. Together we chose a new logo which depicts openness, optimism and community spirit.

And, together, we rewrote our mission, vision and philosophy statements. These new statements outline our most important objectives while providing a strong foundation for our values as a basis for decision making. Our values arose from the recognition that we need to acknowledge and accept everyone's unique characteristics and beliefs and treat all people with fairness and respect.

The true value of our new philosophy statements is only realized when they are put into practice. So we've become better at, and committed to, putting ourselves in other people's shoes, respecting everyone's ideas and listening.

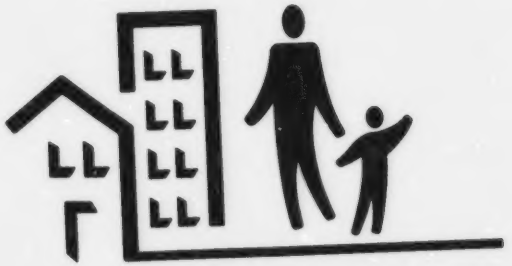
We've made great strides in forging partnerships with those people who need our support. We acknowledge that clients need to be able to make their own decisions, and we work closely with them and their friends and family members to facilitate the decisions that are right for them. At the same time, we form partnerships with legal and community organizations and government ministries. Our partnerships enable us to better understand, and be guided by, our clients' needs and expectations.

This new approach is very exciting, and the outcome is rewarding. We're seeing the power of synergy. When we work together to find solutions, we will surely make a difference.

D. A. Ewen

Dorothy A. Ewen

Our New Logo



PUBLIC TRUSTEE OF
BRITISH COLUMBIA

The new visual identity for the Public Trustee of British Columbia illustrates a more friendly, community-based organization. The buildings symbolize community, while the figures identify the most important focus of the Public Trustee — people. The figures are grounded by a solid line representing stability and trust; yet their movement is free, signifying empowerment.

Mission Statement

The Public Trustee is appointed to uphold the legal rights and safeguard the financial interests of children and adults, and to administer the estates of deceased and missing persons.

Vision Statement

Our vision is to provide respectful, individualized service with the help of family, friends and community.

Organizational Philosophy

Respect: We respect the rights and honour the dignity of our co-workers. We value the initiative and the contributions of each individual.

Openness: We value the exchange of ideas and promote open communication.

Participation: We encourage participation and actively promote teamwork.

Quality: We act with integrity and take pride in our work. We celebrate our successes and acknowledge our mistakes.

Opportunity: We foster learning, creativity and innovation in an environment where we can all grow.

Support: We support one another and believe that success is based on our collective strength.

Service Philosophy

The Client: The interests of the client are paramount and the focus of our work. We are accountable to the client.

Respect for the Individual: We respect the rights and honour the dignity of each person.

Quality Service: We strive for excellence. We are knowledgeable in our work and believe the service we provide should be accurate, courteous, helpful and timely.

Role of Family and Friends: We value the contribution of family and friends to the well being of the client.

Respectful Communication: We foster open communication. We listen to clients and keep them informed.

Partnerships: We seek partnerships because we believe the exchange of ideas leads to creative and innovative solutions.

Self Determination: Individuals have the right to self determination and the right to protection. Our role is to seek a balance when these are in conflict.

Empathy: We treat clients with kindness and understanding, appreciating the circumstances in which they find themselves.

Honesty: We act with integrity, honesty and fairness.

Confidentiality: We respect each person's right to confidentiality.

The Focus Remains

Many cultures have long recognized that society's vulnerable people need support and protection. In the Canadian legal system, which follows British law, this responsibility was formerly shared by the courts and various public officials. As the nation grew, so did recognition of the need for a public trustee service.

In 1963, the Province of British Columbia passed legislation to establish a Public Trustee, assigning to the office the responsibility for protecting the legal rights and financial interests of vulnerable British Columbians.

A Unique Role

The role of the Public Trustee is unique. As an independent and impartial public official, the Public Trustee must be unencumbered by any outside influence. The Public Trustee is an Officer of the Court who is accountable to her clients, the Courts and the public at large. The role of the Public Trustee is to ensure that people may live in the way they choose, with the support of family and friends.

The Public Trustee carries out her responsibilities to children in her roles as Trustee and as Guardian, to adults in her roles as Trustee and Committee, and to heirs and beneficiaries of estates without personal representatives as Official Administrator. In this latter role she also protects the assets of missing persons.

The Public Trustee and her staff work with clients' friends, families and communities to see that clients' wishes are respected and that their rights are protected. Over time, the approach has changed along with societal values, yet the focus remains the same: the support and benefit of the individual.

Last year the Public Trustee:

- acted as Attorney under Powers of Attorney for 144 adults
- managed trusts on behalf of 5500 adults and 9400 children
- provided Committee services for over 5000 adults
- reviewed 2850 infant settlements (claims on behalf of children)
- filed 6000 tax returns for clients
- paid taxes on behalf of 600 clients
- administered 3100 estates

The office received 65,000 phone calls and dealt with 388,000 pieces of mail.

A *New* Approach

Colin Elliott

The Public Trustee upholds and protects the rights of all British Columbians under the age of 19. This responsibility includes reviewing all personal injury settlements, legal contracts, trusts and estates involving minors, and ensuring that children are properly represented in all legal matters which affect their lives. Children's division director Colin Elliott notes that there have been major advancements in service delivery.

Services to Children

"We have worked on strengthening our relationships with our clients and their families. The biggest change has been in approach: we now work as a team — everyone pulls together with the goal of achieving what is most beneficial for our clients." ← Services to Children staff currently work with over 9400 children throughout the province. "We also share guardianship of 1600 children with the Ministry for Children and Families and we were able to ensure that all of those children were receiving their benefits. ← By working together we ensure that our clients receive the best possible service."

Trust Administration

Within the Public Trustee's Services to Children Division, the Trust Administrators oversee clients' receipt of benefits and respond to requests for expenditures from funds held in trust for minors. Requests could be for anything from computer equipment to automobiles, but each one is given careful consideration and the Trust Administrators work with children, parents and physicians to determine what is in the best interests of each child. ← "We feel a strong responsibility to children," says Trust Administration Intake Assistant Carol Boutilier. "We take pride in their achievements and hope to make a positive contribution to their lives."

Megan: A Positive Contribution

In 1994, Megan was injured in a car accident. The Public Trustee approved the insurance settlement offer, and the funds were placed in trust and invested for Megan until her 19th birthday. ← Now, at age 17, Megan's dream is to become a Supreme Court judge. To prepare for law school, she wanted to attend a private school which offers an accelerated academic program. Her parents paid half the cost, and she worked part-time but she was still short of tuition funds. So Megan wrote to the Public Trustee to ask that some of her funds be released from her trust account to make up the difference. ← "It is usually in the best interest of the child that funds not be touched until he or she reaches adulthood," says Megan's Trust Administrator, Tracey Matovich. "But we saw this as a worthwhile exception. Megan is now doing well at school and is looking forward to proceeding to the University of British Columbia."

Objective: Fairness *and* Respect

Aida Davis

The Public Trustee upholds the rights of adults who are unable to manage their own affairs. This role includes helping them with financial and legal matters, and supporting their lifestyle and healthcare decisions. The goal is to maximize client independence. This was the driving force behind last year's advancements in the Public Trustee's Services to Adults Division.

Services to Adults

"We reviewed individual cases to determine if we were still needed," explains division director Aida Davis. "We don't want to be involved in people's lives if their situations have improved and they're able to handle their affairs again." ← Public education efforts have increased, new guidelines encourage assessments of incapability to be performed in a consistent and respectful manner, and Aida notes, there is a new commitment to teamwork among the division's staff members. "We focus on sharing roles and responsibilities now, rather than trying to work alone. This benefits everyone because it ensures that vulnerable adults are treated fairly and respectfully."

Our Employees Care

It is hard for my clients to accept that there are things which they can no longer do for themselves, so I never call them incapable. My basic philosophy is that I treat clients the same way I want people to treat my parents, who are also seniors. Although some clients have special challenges to cope with, I believe they all deserve respect and consideration.

—MARIANNE NYLAND *Case Manager*
Services to Adults

When a person is unable to manage his or her affairs, someone else volunteers and is appointed by the courts to look after that person's affairs. This manager is called a "private committee." Usually the committee is a friend or relative who may have questions about how to proceed with helping the individual. So, I'm here to advise them what is required and what resources are available to them. I help people to help people — it's very rewarding.

—KAREN KRAUSHAAR *Administrative Supervisor*
Private Committee Services

Objective: Care *and* Sensitivity

Alaura Ross

The Public Trustee is responsible for settling the estates of deceased persons where there is no named executor, or where there is no one willing or able to act as executor. The Public Trustee's Estate Administration Division secures assets, settles debts and claims against the estate, and then identifies and locates the estate's heirs and beneficiaries.

Estate Administration

"Our biggest challenge is lack of information about the deceased and his or her family," explains division director Alaura Ross. "Even so, our success rate at finding heirs is 95%. And now, the Internet gives us access to international libraries and registries so we are successful faster." ← *Alaura also notes that the Estate Administration Division staff members work together to be helpful to those left behind. "Our task is the respectful winding up of a person's affairs. That respect is appreciated by the deceased person's family and friends. So we make a concerted effort to remain sensitive and caring, while fulfilling the Public Trustee's duties."*

Our Employees Care

I work as part of a professional team of caring individuals, including the staff in our office plus police officers, doctors, lawyers, accountants, coroners and funeral directors. Together, and often in sad situations, we work to put together the pieces of our deceased clients' lives. Every file is unique and the work is often challenging, but it is an honour and a privilege to be of service to someone who had no one else.

—LORNA ANDERSON *Estate Officer*

Esther, A Rewarding Outcome

When Esther made her will, she named her three step-sons as equal beneficiaries. But when she died in 1995, only one step-son remained alive to inherit one-third of the estate. With respect to the other two-thirds, Esther's estate was a 'partial intestacy' and the Public Trustee was charged with its administration. ← Esther's Estate Officer, Gwenn Thomas, was able to locate Esther's only other living relative — Patrice, a niece living in England. Patrice inherited the remaining two-thirds of Esther's estate, and Gwenn was able to send her Esther's christening mug, jewelry and a scrapbook which Esther had kept for many years. ← "Patrice was thrilled to have these keepsakes," says Gwenn. "The mug and jewelry were precious heirlooms, and the scrapbook provided a record of her aunt's life. It was a very rewarding outcome."

Objective: Clarity *and* Protection

June Laker

The nature of the Public Trustee's duties requires that she employ a strong legal team. Ten lawyers provide advice to the operating divisions on corporate issues and the Public Trustee's responsibilities. They also act on behalf of clients to uphold their rights and to make sure that their financial and legal interests are protected.

Legal Services

← Deputy Public Trustee June Laker, who is also Director of Legal Services, notes that staff members work together to respond to this challenge with increasing efficiency and sensitivity.

← "The Public Trustee reviews all proposed settlements on legal claims involving minors and often makes decisions for adults whose rights may be affected. Our job is to ensure consistency of approach and application, while respecting the wishes of clients and their families."

← Legal Services has had a busy year. One major achievement was the streamlining of the process which ensures that all children's insurance settlements are paid directly to the Public Trustee to be held in trust for clients. Another achievement was the completion of the Public Trustee's legal policies, which assist in-house counsel in decision making.

← "It's important that the BC legal community have information about the Public Trustee's procedures and activities," June continues. "We regularly hire outside counsel to represent our clients, and it's crucial that we instruct those lawyers carefully so that they and the Courts are clear on the Public Trustee's position in every matter. We've strengthened our already sound relationships with private counsel, and our clients have been well served by that."

← British Columbians have also benefited from the Public Trustee's attention to issues which may affect their interests. Last year, the Public Trustee became involved in consultation surrounding no-fault automobile insurance which, had it been instituted, would have seriously affected the rights of children and vulnerable adults to make claims against those responsible for their injuries.

← There was also the issue of waivers which parents and social workers were being asked to sign when children were involved in extra-curricular activities. These waivers could have impaired the children's right to sue for negligence in case of injury. "Children's claims might have been affected," explains June. "So we have spoken to other authorities involved and are reaching agreement on the issue. The practice of requesting waivers is not likely to continue."

← Also last year, the Public Trustee continued to be active in cases where excessive legal fees were charged by private lawyers on large settlements involving children. "Children may not always get adequate compensation, and then legal costs must be paid," June explains. "The Courts looked to the Public Trustee for comment and, in some cases, fees were reduced. It's a delicate situation because we value the expertise of outside counsel. But one of the Public Trustee's responsibilities is to protect the financial rights of children and to respond whenever children's rights are affected."

Policy Planning *and* Communications

Communications is essential to the operation of any professional organization, but the nature and scope of the duties carried out by the Public Trustee are such that communications must support and complement planning and policy development. "This is a service department which helps the office operate efficiently and effectively", says Juhree Zimmerman, Director of Policy, Planning and Communications.

Juhree Zimmerman

Juhree says that her department was extremely active last year and it steered the process of revisiting the Public Trustee's mission, vision, values and philosophy. "It was time to solidify our identity and set our direction for the next two years. We established five key initiatives; and our corporate goals and objectives flow from those initiatives. Now, with a new strategic plan we have a firm direction and a clear mission."

Last year also saw the development of a new corporate policy manual — a massive undertaking involving the review and writing of hundreds of policies. "We needed to update our policies and clearly set them out," continues Juhree. "As we were documenting the work done by our staff, we went to them for their input. Now we have a policy manual which fits the times and which states the Public Trustee's positions on particular issues."

The Public Trustee also recognized the need to improve the flow of information to both clients and the general public. To that end, an independent communications review was undertaken. Surveys were conducted and staff ideas were added to those from community groups and other organizations who work with the Public Trustee. As a result, a new communications plan is being implemented.

"All of the Public Trustee's divisions share ideas and talk about what's going on," concludes Juhree. "That's been more helpful than most people realize; in an organization of this nature, when everyone's on the same wavelength and communicating well, our clients are better served."

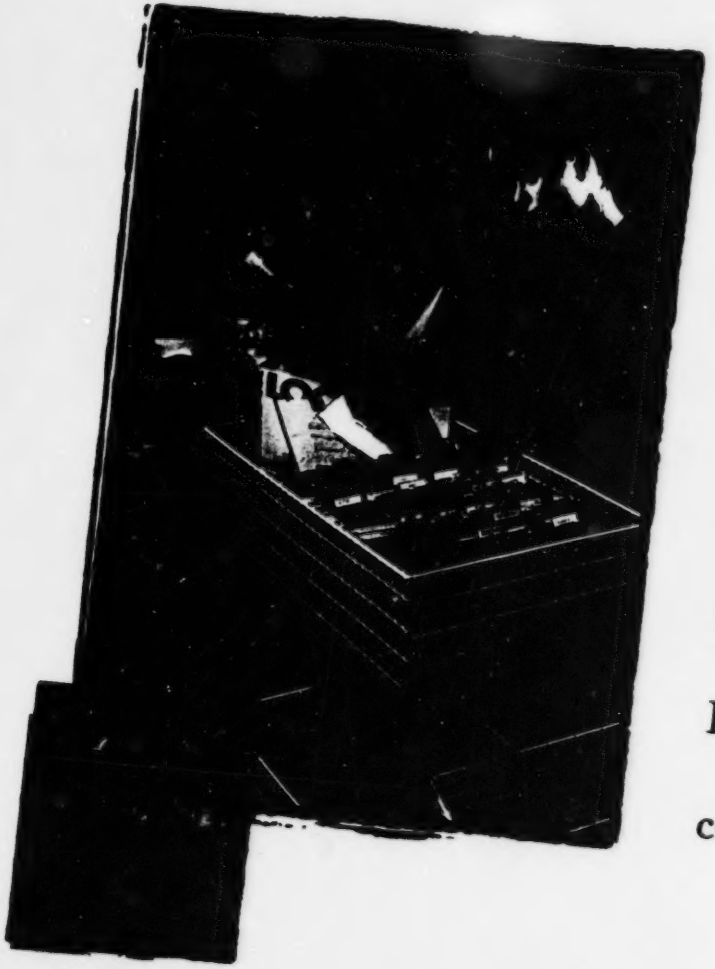
The Public Trustee Educational Assistance Fund

When children are in the continuing care of the province, the Public Trustee works to ensure their legal rights and financial interests are protected until they are adults. In 1989, the Public Trustee established the Public Trustee Educational Assistance Fund.

This is a bursary fund which offers up to $3000 per year to young people who were formerly in continuing care of the province. Potential recipients fill out application forms in which they demonstrate enrollment, financial need, academic ability and career objectives. It doesn't matter whether or not they want to attend a school outside of BC, or if they want to take professional or vocational courses. They can apply each year and add bursary awards to other funding such as scholarships, student loans and grants. Last year, a total of $19,300 was awarded to eight students.

"These funds help fill in the financial blanks," says Judy Myers, the fund's coordinator. "Last year, we granted funds to a young man who had a good job, but he was a new father and needed extra money to pursue his Master's degree. There was a young woman who was working as a waitress to put herself through nursing school, and another woman who was working in an office while she studied for a marketing degree. In these cases, they all needed extra money to get through the year, and these bursaries made a real difference."

Objective: Strength *and* Support



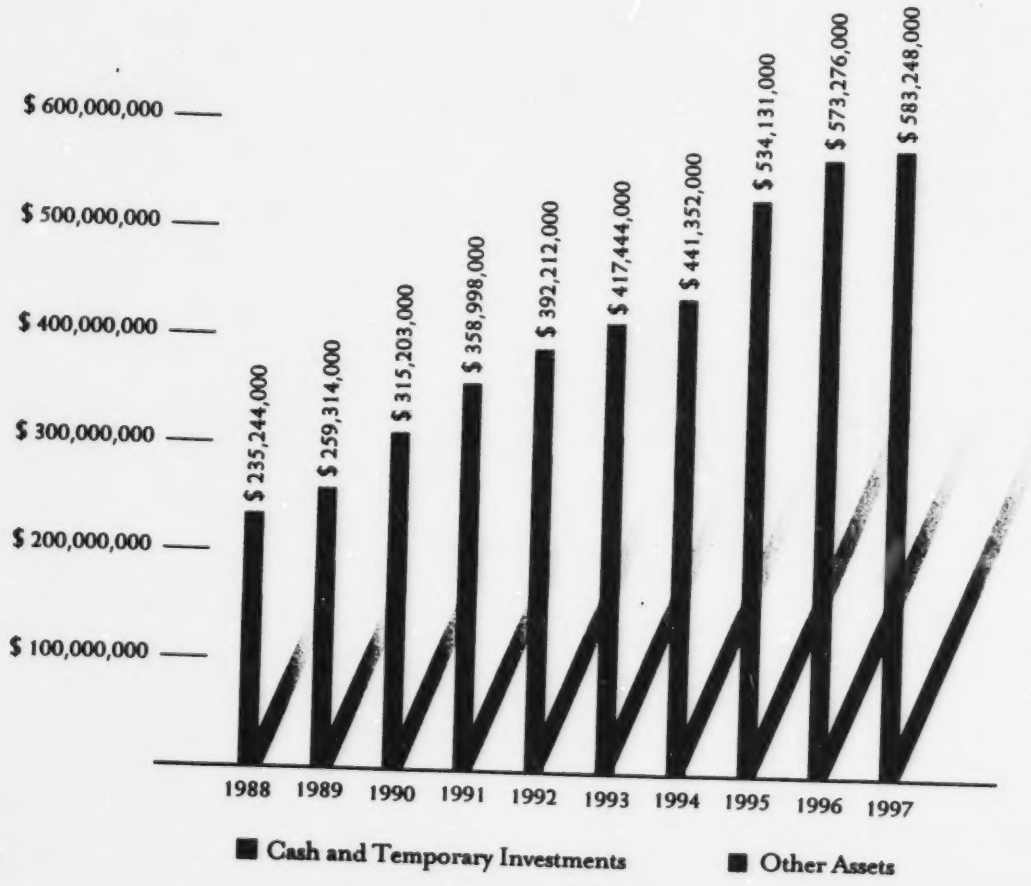
Dorothy Chattell

The division is divided into Human Resources, Financial Management, Investments, Financial Planning and Budgets, Client Financial Services, Client Asset Management and Administration and Systems. Last year saw a great deal of progress in all of these areas, with major changes in Human Resources, Investments and Systems, involving computer technology upgrades.

Client Assets

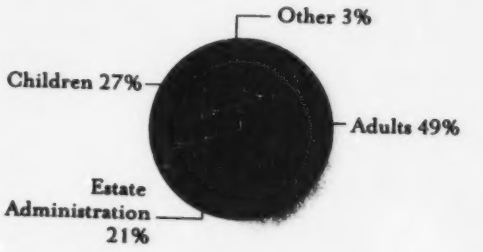
Total Assets Administered By The Public Trustee

as at March 31, 1997



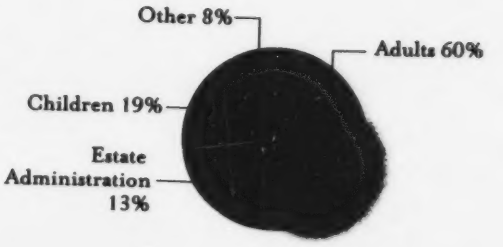
Total Assets Administered By The Public Trustee, By Client Group

as at March 31, 1997



Non-Cash Assets Administered By The Public Trustee, By Client Group

as at March 31, 1997



Estates and Trusts Administered by The Public Trustee of British Columbia

Balance Sheet

As at March 31, 1997 (unaudited)

($ in thousands)	1997	1996
Assets:		
Cash (Note 3)	$ 423,200	$ 412,385
Funds Held in External Accounts	7,235	6,472
Receivables	24,044	22,446
Pensions, Annuities and Insurance	6,905	6,480
Securities and Investments	47,205	49,237
Jewellery and Collectibles	503	495
Real Properties	71,224	73,209
Vehicles	537	426
Household/Personal Effects and Other Assets	2,395	2,126
	$ 583,248	$ 573,276
Liabilities:		
Payable to the Public Trustee:		
Fees and Commissions (Note 4)	$ 598	$ 494
Cost Reimbursements (Note 5)	645	640
	1,243	1,134
Mortgages and Agreements Payable	3,323	3,070
Notes, Loans and Other Payables	5,321	5,019
	8,644	8,089
Excess of Recorded Value of Assets over Liabilities	573,361	564,053
	$ 583,248	$ 573,276

Statement of Cash Receipts and Disbursements

For the year ended March 31, 1997 (unaudited)

($ in thousands)	1997	1996
Receipts:		
Proceeds from Asset Dispositions and Realization of Receivables	$ 67,939	$ 73,719
Pensions, Compensation and Assistance	35,747	35,838
Investment Income (Note 6)	20,137	27,073
Canadian Interest and Dividends	1,865	2,207
Other	6,547	5,180
Total Receipts	132,235	144,017
Disbursements:		
Funds Distributed to Heirs and Beneficiaries	54,695	60,420
Living and Personal Expenses	35,942	35,345
Commissions, Fees and Costs Paid to the Public Trustee (Note 4)	9,513	10,145
Professional Services	4,001	3,949
Burial and Estate Settlement Expenses	3,877	3,093
Medical, Dental and Other Health Care Expenses	1,144	1,050
Funds Escheated to the Crown (Note 7)	939	375
Other	11,309	14,815
Total Disbursements	121,420	129,192
Excess of Receipts Over Disbursements	10,815	14,825
Cash, Beginning of Year	412,385	397,560
Cash, End of Year	$ 423,200	$ 412,385

Notes to Financial Statements

For the year ended March 31, 1997 (unaudited)

Note 1 *Reporting Entity*

The Public Trustee of British Columbia operates under provincial legislative authority to protect the legal rights of children, adults who are vulnerable and deceased and missing persons. The services offered by the Public Trustee stem from the concept that society has a responsibility to assist those people who are unable to protect their own interests. The Public Trustee is considered to be an appointment of last resort and provides a public service where no one else is willing and able to act.

Notes to Financial Statements

For the year ended March 31, 1997 (unaudited)

Note 2 *Significant Accounting Policies*

a) The Balance Sheet is prepared on the accrual basis of accounting.

b) Asset valuation is generally based on approximate net realizable value at the commencement date of trusteeship, which is the date of death for estate administration and date of appointment for trust administration. When such value is not readily available or is inappropriate, a nominal value of $1 is used.

c) Short term investments consist of units in the Province of British Columbia Pooled Investment Portfolios. Units are carried at the cost of acquisition adjusted by income attributed to the units and realizable upon the sale of the units.

d) Bond investments consist of a segregated portfolio of fixed income bonds. Bonds are carried at cost adjusted for amortization of the premium on purchase on a constant yield basis plus accrued interest.

Note 3 *Cash*

Separate cash accounts are maintained for each client. Because most clients require cash on demand, the funds are invested in fully liquid investments.

($ in thousands)	1997	1996
Cash (Overdraft)	$ (1,035)	$ (2,000)
Short Term Investments	321,720	414,385
Bond Investments	102,515	0
	$ 423,200	$ 412,385

As at March 31, 1997, the market value of these investments was $426,585 (1996 - $416,658).

The short term and bond investments are managed by Provincial Treasury, Ministry of Finance and Corporate Relations.

Note 4 *Fees and Commissions Payable to the Public Trustee*

Under the *Public Trustee Act*, fees and commissions may be charged for performance of a duty or services rendered by or on behalf of the Public Trustee.

Note 5 *Cost Reimbursements Payable to the Public Trustee*

This represents the obligations of clients to reimburse the Public Trustee for costs incurred on their behalf.

Note 6 *Investment Income*

Income from investments is paid as interest each month to clients based on their closing daily balances during the month.

The average annual effective yield for 1997 was 5.11% (1996 - 7.11%).

Note 7 *Funds Escheated to the Crown*

All money deemed inactive and held for a period of ten years is transferred to the Consolidated Revenue Fund of the Province.

THE PUBLIC TRUSTEE
of BRITISH COLUMBIA
SPECIAL ACCOUNT

STATEMENT *of* REVENUE, EXPENDITURE *and* EQUITY

For the year ended March 31, 1997 (unaudited)

($ in thousands)	1997	1996
Revenue:		
Fees and Commissions:		
Commissions	$ 7,018	$ 7,414
Asset Management Fees	1,979	2,087
Estate Administration File Opening Fees	69	88
Investment Income Earned by Inactive Accounts (Note 4)	416	861
Monitoring Fees	542	520
Cost Recoveries	119	97
	10,143	11,067
Funding Transfer from the Ministry of Attorney General (Note 5)	3,522	3,848
	13,665	14,915
Expenditure:		
Salaries and Benefits	8,836	7,975
Operating Costs:		
Building Occupancy (Note 6)	921	1,473
Other Professional Services	699	910
Clients' Property Management Costs	448	425
Other Operating and Administrative Costs	430	647
Legal Services (Note 7)	384	365
Computer System Support and Expenses	373	477
Deputy Official Administrators' Services	312	283
Telecommunications	263	255
Other Expenditures (Note 8)	490	195
Asset Acquisitions	292	227
Depreciation Expense (Note 9)	171	0
Valuation Expense (Note 2)	49	42
	13,668	13,274
Net Earnings (Loss)	(3)	1,641
Equity, Beginning of Year	4,275	2,070
Adjustment for Change in Accounting Policy (Note 3)	0	564
Equity, End of Year	4,272	4,275
Less: Net Assets (Note 10)	1,101	1,241
	3,171	3,034
Add: Liabilities (Note 11)	726	195
Cash, End of Year (Note 12)	$ 3,897	$ 3,229

The Public Trustee of British Columbia Special Account

Schedule of Revenue

For the year ended March 31, 1997 (unaudited)

($ in thousands)	Commissions	Fees	Other	Total
Fees and Commissions:				
Adults' Trusts	$ 4,448	$ 1,008		$ 5,456
Deceased Persons' Estates	1,200	508		1,708
Children's Trusts	1,335	497		1,832
Diversified Trusts	35	35		70
	7,018	2,048		9,066
Monitoring Fees:				
Private Committees		234		234
Children's Awards for Injuries		202		202
Applications to Court under Specific Acts		106		106
		542		542
Cost Recoveries			$ 119	119
Investment Income Earned by Inactive Accounts (Note 4)			416	416
Funding Transfer from the Ministry of Attorney General (Note 5)			3,522	3,522
Total Revenue	$ 7,018	$ 2,590	$ 4,057	$ 13,665

Notes to Financial Statements

For the year ended March 31, 1997 (unaudited)

Note 1 *Reporting Entity*

The Special Account was created by authority of the *Public Trustee Amendment Act* of 1989. Its purpose is to provide services to clients of the Public Trustee. Those clients are adults who are not capable of managing their own affairs, deceased persons' estates who have no other person willing and able to act for them, the estates of missing persons, and children in receipt of settlement funds, insurance policy proceeds or money from estates. Revenue represents fees and commissions paid by clients of the Public Trustee for services rendered, funding transfers from the Ministry of Attorney General and investment income earned by inactive accounts. Expenditures are for costs directly related to the provision of services to clients and for administration.

Notes to Financial Statements

For the year ended March 31, 1997 (unaudited)

Note 2 *Significant Accounting Policies*

a) Revenues are reported on the accrual basis.

b) Expenses are recorded for goods and/or services received during the year.

c) Liabilities are recorded to the extent that they represent claims payable to outside parties as a result of events and transactions prior to the year end.

d) Valuation expense represents the change in the provision for doubtful accounts on commissions and fees over the prior year and is included on the Statement of Revenue, Expenditure and Equity.

e) Recorded capital assets are depreciated on the straight line basis over their estimated useful lives in accordance with the following:

Mini Computer Hardware	5 years	(10% salvage value assumed)
Mini Computer Software	5 years	

Note 3 *Change in Accounting Policy*

In September 1995, Treasury Board approved a change in accounting policy whereby tangible capital assets would be capitalized using a phased-in approach. Previously, capital assets were expensed in the year of acquisition.

In accordance with this policy, the development and purchase costs of mini computer hardware and software have been capitalized. This change in accounting policy has been applied retroactively in the Statement of Revenue, Expenditure and Equity. Comparative figures for March 31,1996 have been restated in accordance with the new policy.

Note 4 *Investment Income Earned by Inactive Accounts ($ in thousands)*

The Minister of Finance and Corporate Relations, under the authority of Section 13 of the *Public Trustee Act*, directs the payment of investment income earned by inactive accounts to the Special Account. The amount shown is net of $257 (1996 - $153) held as a reserve for potential interest liability.

Note 5 *Funding Transfer from the Ministry of Attorney General*

A transfer from a sub-vote of the Ministry of Attorney General was provided for adult guardianship legislation and other expenditures of the Public Trustee beginning in the year ended March 31, 1994.

Note 6 *Building Occupancy ($ in thousands)*

Building occupancy costs for the year ended March 31, 1997 are net of a one-time leasing incentive credit in the amount of $438. Costs for the year ended March 31, 1996 include an amount of $440 in renovations and tenant improvements resulting from the consolidation of the majority of Public Trustee staff and services to one location.

Note 7 *Legal Services ($ in thousands)*

Legal services for the year ended March 31, 1997 are shown net of recoveries of $296 (1996 - $166).

Note 8 *Other Expenditures ($ in thousands)*

Other expenditures for the year ended March 31, 1997 are shown net of recoveries of $126 (1996 - $84).

NOTES to FINANCIAL STATEMENTS

For the year ended March 31, 1997 (unaudited)

NOTE 9 *Capital Assets and Depreciation Expense ($ in thousands)*

	Cost	Depreciation Expense	Accumulated Depreciation	1997 Net Book Value	1996 Net Book Value
Mini Computer Software	$ 724	$ 145	$ 239	$ 340	$ 485
Mini Computer Hardware	143	26	64	53	79
Total	$ 867	$ 171	$ 303	$ 393	$ 564

NOTE 10 *Net Assets ($ in thousands)*

	1997	1996
Revenue Accrual	$ 360	$ 385
Commissions Receivable	598	494
Other Receivables	31	30
Valuation Allowance for Doubtful Accounts	(281)	(232)
Net Book Value Capital Assets	708	677
Total Net Assets	393	564
	$ 1,101	$ 1,241

NOTE 11 *Liabilities ($ in thousands)*

	1997	1996
Payroll Accrual	$ 46	$ 21
Employee Leave Liability	328	0
Accounts Payable	352	174
Total Liabilities	$ 726	$ 195

The leave liability for the employees of the Public Trustee was transferred to the Special Account during the year ended March 31, 1997. The leave liability is adjusted at year end for increases or recoveries to the total outstanding employee leave for the office.

NOTE 12 *Cash Position ($ in thousands)*

To calculate the uncommitted year end cash position, the Cash, End of Year must be adjusted for liabilities and cash flow requirements.

The cash flow requirement represents approximately one month's non-discretionary spending, including salaries and benefits, building occupancy, telecommunications, computer system support and contracts for the provision of client services including property management and Deputy Official Administrators' services.

	1997	1996
Cash, End of Year	$ 3,897	$ 3,229
Liabilities	(726)	(195)
Cash Flow Requirement	(1,000)	(800)
Cash Position	$ 2,171	$ 2,234

Welcoming *New* Legislation

An exciting development affecting the work of the Public Trustee is the new Adult Guardianship Legislation. The legislation was passed in 1993 and, when it is proclaimed, will have a positive influence on the lives of many British Columbians.

The new legislation consists of four acts —

- *Representation Agreement Act*
- *Public Guardian and Trustee Act*
- *Adult Guardianship Act*
- *Health Care (Consent) and Care Facility (Admission) Act*

The *Representation Agreement Act* allows adults to name friends or relatives to make future decisions for them and state what decisions they want made on their behalf. The *Public Guardian and Trustee Act* affirms the Public Trustee's current responsibilities and adds stronger monitoring, support and evaluation roles. For those people who have no one to support them, the *Adult Guardianship Act* addresses the issue of support and assistance for abused and neglected adults, and sets out a process for review of a person's capability and need for assistance. Finally, the *Health Care (Consent) and Care Facility (Admission) Act* confirms the right of adults to give or refuse consent to health care, while outlining procedures for health care providers to follow when one is unable to provide consent.

Linda Derkach

Linda Derkach, the Public Trustee's Director of Implementation for Adult Guardianship Legislation, says, "This legislation is the result of an eight year collaboration of more than 4000 people from community organizations, legal and medical professional organizations and government ministries. The legislation recognizes that all adults are entitled to live as they wish; that when they need support, it should be the least restrictive and least intrusive possible, and that the Court should not appoint decision makers for adults until all alternatives have been explored. It supports self-determination and autonomy for adults, while providing protection for those who need assistance."

Legislative Acts

The Public Trustee operates within the legislative authority and jurisdiction provided for under the:

Child, Family and Community Service Act
Estate Administration Act
Estates of Missing Persons Act
Family Relations Act
Infants Act
Insurance Act
Insurance (Motor Vehicle) Act
Patients Property Act
Power of Attorney Act
Public Trustee Act
Trust and Settlement Variation Act
Wills Variation Act

Other Acts that directly or indirectly affect the operations of the Public Trustee's office are the:

Canada Pension Plan Act
Community Care Facility Act
Company Act
Criminal Injury Compensation Act
Escheat Act
Family Compensation Act
Financial Administration Act
Freedom of Information and Protection of Privacy Act
BC Benefits (Income Assistance) Act
Health Act
Hospital Act
Hospital Insurance Act
Human Rights Code
Income Tax Act
Indian Act
Land Title Act
Limitation Act
Mental Health Act
Old Age Security Act
Power of Attorney Act
Probate Fee Act
Residential Tenancy Act
Trustee Act
Unclaimed Money Act
Vital Statistics Act
Wills Act
Workers' Compensation Act